III. REMARKS

Claims 1-16 are pending in this application. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1 and 12-15 are rejected under 35 U.S.C. §103(a) as allegedly being anticipated by Gray (U.S. Patent No. 5,844,497), hereafter "Gray." Claims 2 and 6 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Gray in view of Boyko *et al.* (U.S. Patent No. 7,047,408), hereafter "Boyko." Claim 3 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Gray in view of Patzer (U.S. Patent No. 6,732,270), hereafter "Patzer." Claims 6-8 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Gray in view of Davis *et al.* (U.S. Patent No. 6,064,736), hereafter "Davis." Claim 4, 5 and 10 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Gray in view of Yatsukawa (U.S. Patent No. 6,148,404), hereafter "Yatsukawa." Claim 11 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Gray in view of Yatsukawa, and further in view of Davis.

A. REJECTION OF CLAIMS 1, 9 AND 12-15 UNDER 35 U.S.C. §102(b) OVER GRAY

With regard to the 35 U.S.C. §102(b) rejection over Gray, Applicants respectfully submit that the Office has transposed the patent number of the Gray reference and that said patent

number should be 5,844,497 rather than 5,884,497. Further, Applicants assert that the reference cited by the Office does not teach each and every feature of the claimed invention. For example, with respect to independent claims 1 and 12-15, Applicants submit that Gray fails to teach that the authentication check is adapted to be performed without having the client password in a cleartext format on the server data processing system. Instead, Gray teaches that

> Data entered via the keyboard 16 is transmitted to the verification unit 20 as scan codes, as is known in the technology. The verification unit 20 interprets the entered scan codes to identify the key the operator has pressed. As the scan codes are resolved, the characters are written to RAM 66. Once the user terminates the entry process, typically through depressing the ENTER key, software running on the processor 60 of the verification unit will encrypt the characters (password) written to RAM… Col. 5, lines 24-32.

To this extent, the password of Gray is in cleartext format in its RAM between the time that it is interpreted and the time it is encrypted by the verification unit. As such, unlike in the verification unit of Gray, the server data processing system of the claimed invention does not have the client password in a cleartext format.

In the alternative, using the assumption that the Office equates the client data processing system of the claimed invention with its verification unit and the server data processing system of the claimed invention with its computer, Gray does not teach a server data processing system's stored cipher-protected client password. Rather, the passage of Gray cited by the Office indicates that all of its verification functions occur on its verification unit and that the only information that is forwarded to its computer is the success or failure of this verification. Col. 5, lines 29-40. To this extent, the password of Gray is not stored on its computer, but rather is stored on a card that is accessed by the verification system itself. Further, Gray does not teach that the password is transmitted in any form to the computer. Conversely, Gray teaches away from having the

password in any way associated with the computer, citing "a need in the technology for a simple, elegant and cost-effective consumer-level method and apparatus of authenticating a password or personal identification number (PIN) *independently* from the computer..." Col. 2, lines 32-36.

In contrast, the claimed invention includes "...performing an authentication check using the client data processing system's cipher-protected client password and the server data processing system's stored cipher-protected client password as a shared secret for said authentication check, wherein the authentication check is adapted to be performed without having the client password in a cleartext format on the server data processing system." Claim 1. As such, unlike Gray, the client password of the claimed invention is stored on the server data processing system in a cipher-protected format and is used for an authentication check against the cipher-protected client password from the client data processing system without being in a cleartext format on the server data processing system. Thus, the verification system of Gray does not teach the performing of an authentication check without having the client password on the server data processing system in a cleartext format. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

With further respect to independent claims 1 and 12-15, Applicants respectfully submits that Gray also fails to teach that its verification is performed in a client-server distributed data processing environment. Rather, Gray teaches only a single computer and a piece of hardware (i.e., the verification unit) that is coupled to the computer through an adapter. Col. 4, lines 40-41; fig. 2. To this extent, Gray does not teach a client server environment, but rather one of a computer and a peripheral device. Furthermore, Gray cannot be said to operate in a distributed data processing environment. Accordingly, Applicants request that the rejection be withdrawn.

With respect to the Office's other arguments regarding dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicants submit that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicants respectfully request withdrawal of this rejection.

B. REJECTION OF CLAIMS UNDER 35 U.S.C. §103(a)

With regard to the 35 U.S.C. §103(a) rejections, Applicants submit that the combined features of the cited art fail to teach each and every feature of the claimed invention. For example, with respect to independent claim 16, as argued above with respect to independent claims 1 and 12-15, the cited references fail to teach or suggest performing an authentication check using the client data processing system's cipher-protected client password and the server data processing system's stored cipher-protected client password as a shared secret for said authentication check, wherein the authentication check is adapted to be performed without having the client password in a cleartext format on the server data processing system. Boyko does not cure this deficiency. Accordingly, Applicants respectfully request withdrawal of this rejection.

With regard to the Office's arguments regarding dependent claims, Applicants herein incorporate the arguments presented above with respect to independent claims listed above. In addition, Applicants submits that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicants will forego addressing each of these rejections

individually, but reserve the right to do so should it become necessary. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

VI. CONCLUSION

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

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